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EXAMINER

WIENER, ERIC A

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/719,317	Applicant(s) RAO, SUMITA	
	Examiner Eric Wiener	Art Unit 2179	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 March 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-29 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-29 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is responsive to the following communications: Amendment filed on 3/19/2008.

This action is made final.

2. Claims 1 – 29 are pending. Claims 25 – 29 are new. Claims 1, 7, 12, 18, 25, 28, and 29 are the independent claims. Claims 1, 7 – 12, and 18 are the amended claims. Claims 1 – 29 have been rejected by the Examiner.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

4. Claims 1 – 24, 28, and 29 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claims contain subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor, at the time the application was filed, had possession of the claimed invention

As per independent claims 1, 7, 12, and 18; paragraph [0040] of the Specification describes media packages associated with specific trigger or screen saver events for a device, wherein "the association is made dynamically by a user" or that "the device may define the

Art Unit: 2179

association.” Furthermore, paragraphs [0030], [0040] – [0041], and [0051] of the Specification all describe that a media package or ordered sequence may be transmitted to a remote user or device. However, said remote user or device must perform the association of a media package or ordered sequence with a trigger or screen saver event, because nowhere in the Specification is it described that *an association* is to be transmitted along with a media package or ordered sequence when said media package or ordered sequence is transmitted to another user or device, as claimed in various similar language in claims 1, 7, and 18. Therefore, claims 1, 7, 18 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement.

As per dependent claims 2 – 6, 8 – 11, 13 – 17, and 19 – 24; the claims depend from claims 1, 7, and 18; respectively; and do not serve to cure the 35 U.S.C. 112, first paragraph deficiencies of claims 1, 7, and 18, and are therefore rejected under 35 U.S.C. 112, first paragraph, for the same reasons as disclosed in the rejection of claims 1, 7, 12, and 18, *supra*.

As per independent claims 28 and 29, paragraph [0054] of the Specification describes that “an association can be made on the local device between the media presentation and a particular trigger event” wherein “upon occurrence of the trigger event, the media presentation may be displayed on the local device.” In addition, paragraph [0054] goes on to state that “the media presentation may be published wirelessly or through network connection to a remote device” and “provided the remote device has a properly configured media engine, the media presentation may be played remotely.” However, nowhere in the Specification is it described that a media presentation is played on a second or a remote device in response to *a trigger event detected on a first or a local device*, as claimed in various similar language in claims 28 and 29.

Therefore, claims 28 and 29 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 28 and 29 are rejected under 35 U.S.C. 102(e) as being anticipated by Kirby et al. (US 2004/0165006 A1).

As per independent claim 28, Kirby discloses *a method for playing a media presentation on a second handheld wireless communication device in response to a trigger event on a first handheld wireless communication device ([0006]), the method comprising:*

- *generating a media presentation comprising different media objects on a first handheld wireless communication device ([0011], lines 1 – 5),*
- *associating the media presentation with a trigger event on the first handheld wireless communication device; publishing the media presentation to a second handheld wireless communication device; monitoring for the trigger event on the first handheld wireless communication device; detecting the trigger event on the first handheld wireless communication device; and playing the media presentation on the second handheld wireless communication device in response to the trigger event detected on the first handheld wireless communication device [0011] and [0016],*

wherein it has been interpreted that commands serve as triggering events, further wherein the fact that said commands can be received from remote sources to control the presentation of media on different displays of different devices sufficiently serves to play a published media presentation on a second handheld wireless communication device in response to a trigger event on a first handheld wireless communication device.

As per independent claim 29, Kirby discloses *a method for playing a media presentation on a second handheld wireless communication device in response to a trigger event on a first handheld wireless communication device ([0006]), the method comprising:*

- *generating a media presentation comprising different media objects on a first handheld wireless communication device ([0011], lines 1 – 5),*
- *associating the media presentation with at least one trigger event on the first handheld wireless communication device ([0011], lines 5 – 13),*
- *storing the media presentation associated with the at least one trigger event in a storage medium coupled to the first handheld wireless device [0012] – [0013]).*
- *generating a link to a list on the first handheld wireless communication device to each of the different media objects of the media presentation stored in the storage medium; publishing the link to a second handheld wireless communication device; monitoring for the trigger event on the first handheld wireless communication device; detecting the trigger event on the first handheld wireless communication device; and playing the media presentation on the second handheld wireless communication device in response to the trigger event detected on the first handheld*

wireless communication device [0011] and [0016], wherein it has been interpreted that commands serve as triggering events, further wherein the fact that said commands can be received from remote sources to control the presentation of media on different displays of different devices sufficiently serves to play a media presentation on a second handheld wireless communication device in response to a trigger event on a first handheld wireless communication device.

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 1 – 7, 9, and 12 – 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Noesgaard et al. (US 7,113,809 B2) in view of Haller et al. (US 6,909,878 B2).

As per independent claim 1, Noesgaard discloses *a method for arranging and playing a media presentation* (Abstract), *comprising:*

- *providing a plurality of different media objects to a handheld wireless communication device* (column 2, lines 23 – 52);
- *receiving first configuration instructions from a first user of the handheld wireless communication device, the first configuration instructions comprising:*
 - o *selecting and ordering the plurality of media objects, and specifying a transition between the plurality of media objects, and arranging the plurality*

- of media objects into a first ordered sequence responsive to the first configuration instructions on the handheld wireless communication device (column 6, lines 42 – 50);*
- *associating the first ordered sequence of media objects with a first trigger event on the handheld wireless communication device (column 5, lines 16 – 23);*
 - *receiving second configuration instructions from a the first user of the handheld wireless communication device, the second configuration instructions comprising:*
 - *selecting and ordering the plurality of media objects, and specifying a transition between the plurality of media objects, and arranging the plurality of media objects into a second ordered sequence responsive to the configuration instructions on the handheld wireless communication device (column 6, lines 42 – 50);*
 - *associating the second ordered sequence of media objects with a second trigger event on the handheld wireless communication device (column 5, lines 16 – 23).*

It has been interpreted that the providing of predetermined information corresponding to media objects in different manners sufficiently corresponds to different ordered sequences of media objects associated with different trigger events.

Noesgaard does not explicitly disclose directly transmitting the first ordered sequence associated with the first trigger event and the second ordered sequence associated with the second trigger event from the first handheld wireless device to a second user of a second

handheld wireless communication device without a request from the second user, and monitoring for a trigger event at the second handheld wireless communication device; detecting the first trigger event at the second handheld wireless communication device; accessing a list identifying a plurality of associations between trigger events and ordered sequences of media objects, including at least an entry corresponding to the association between the first trigger event and the first ordered sequence at the second handheld wireless communication device; selecting from the list the first ordered sequence associated with the first trigger event; and playing, responsive to the first trigger event, the first ordered sequence of media objects at the second handheld wireless communication device.

Nevertheless, in an analogous art, Haller discloses:

- *directly transmitting the first ordered sequence associated with the first trigger event and the second ordered sequence associated with the second trigger event from the first handheld wireless device to a second user of a second handheld wireless communication device without a request from the second user* (column 3, lines 28 – 30, column 7, lines 65 – column 8, line 8 and column 8, lines 40 – 54), wherein it has been interpreted that the selection and transferring of multimedia files to respective devices may be initiated without a request from another user, because they may be “periodically changed without any intervention from [a] user,” and
- *monitoring for a trigger event at the second handheld wireless communication device; detecting the first trigger event at the second handheld wireless communication device; accessing a list identifying a plurality of associations between trigger events and ordered sequences of media objects, including at least an*

entry corresponding to the association between the first trigger event and the first ordered sequence at the second handheld wireless communication device; selecting from the list the first ordered sequence associated with the first trigger event; and playing, responsive to the first trigger event, the first ordered sequence of media objects at the second handheld wireless communication device (column 3, lines 28 – 30 and 52 – 62 and column 4, lines 52 – 65).

Both Noesgaard and Haller pertain to the analogous art of providing arrangements of multimedia files such as screen savers to mobile phones (Noesgaard, Abstract and Haller, column 2, lines 29 - 53). Therefore, one would look to the other for possible improvements upon their inventions. Furthermore, Haller discloses that, regarding such multimedia arrangements like that of Noesgaard, a user may be interested in having all or some of the multimedia arranged through such means as related themes that may be changed without user intervention (Haller, column 2, lines 17 – 25). Therefore, because it is desirable that such multimedia arrangements be communicated without a request from a user, it would have been obvious to one of ordinary skill in the art at the time of invention to combine the teachings of Haller with the invention of Noesgaard.

As per independent claim 7, Noesgaard discloses *a handheld wireless device comprising an embedded processor, a keypad input device coupled to the embedded processor, a display screen coupled to the embedded processor, a memory including a list, the memory coupled to the embedded processor (column 5, lines 35 – 67), wherein the embedded processor implements a method comprising:*

Art Unit: 2179

- *displaying to a first user a plurality of available media objects (column 2, lines 23 – 52);*
- *receiving the first user's configuration instructions from the keypad, the configuration instructions comprising:*
 - o *selecting and ordering the plurality of media objects, and specifying a transition between the plurality of media objects, and selecting and ordering a set of first media objects responsive to the configuration instructions (column 6, lines 42 – 50);*
 - o *associating the set of first media objects with a first trigger event, the first trigger event occurring at the wireless device (column 5, lines 16 – 23);*
- *monitoring for the first trigger event; accessing the list, the list including a plurality of associations between trigger events and ordered sequences of media objects including at least an entry corresponding to the association between the first trigger event and the first set of media objects; identifying the association between the first trigger event and the first set of media objects; choosing the entry corresponding to the association; and presenting, responsive to the first trigger event, the first set of media objects (column 5, lines 16 – 23).*

It has been interpreted that the providing of predetermined information corresponding to media objects in different manners sufficiently corresponds to different ordered sequences of media objects associated with different trigger events.

Noesgaard does not explicitly disclose a transmitting module to directly transmit the ordered sequences and trigger events with their plurality of associations to a second user without a request from the second user.

Nevertheless, in an analogous art, Haller discloses *a transmitting module to directly transmit the ordered sequences and trigger events with their plurality of associations to a second user without a request from the second user* (column 3, lines 28 – 30, column 7, lines 65 – column 8, line 8 and column 8, lines 40 – 54), wherein it has been interpreted that the selection and transferring of multimedia files to respective devices may be initiated without a request from another user, because they may be “periodically changed without any intervention from [a] user.”

Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to combine the teachings of Haller with the invention of Noesgaard for the same reasons as disclosed in the rejection of claim 1, *supra*.

As per independent claim 12, Noesgaard discloses *a method of arranging a screensaver on a handheld wireless device and playing the screensaver on the display of a portable, battery powered device* (Abstract), *comprising:*

- *providing a plurality of image files* (column 2, lines 23 – 52);
- *receiving selection commands, the selection commands selecting a set of image files to use in the screensaver; ordering the selected files into a first sequence; specifying a transition between the selected files* (column 6, lines 42 – 50);

- *associating the first sequence with a first screensaver event; monitoring for an occurrence of the first screensaver event; detecting the first screensaver event; generating a link to a list accessing a list identifying a plurality of associations between screensaver events and sequences, including an entry corresponding to an association between the first screensaver event and the first sequence; choosing the entry from the list; playing the first sequence on the display as a screensaver* (column 5, lines 16 – 23).

It has been interpreted that the providing of predetermined information corresponding to media objects in different manners sufficiently corresponds to different ordered sequences of media objects associated with different trigger events, wherein it would be obvious that some sort of means such as a list would be used to access the information pertaining to the corresponding associations, because lists are well known means for structuring data for access in such devices as that of Noesgaard.

Noesgaard does not explicitly disclose directly transmitting the first sequence with the first screen saver event to a user without a request from the user.

Nevertheless, in an analogous art, Haller discloses *directly transmitting the first sequence with the first screen saver event to a user without a request from the user* (column 3, lines 28 – 30, column 7, lines 65 – column 8, line 8 and column 8, lines 40 – 54), wherein it has been interpreted that the selection and transferring of multimedia files to respective devices may be initiated without a request from another user, because they may be “periodically changed without any intervention from [a] user.”

Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to combine the teachings of Haller with the invention of Noesgaard for the same reasons as disclosed in the rejection of claim 1, *supra*.

As per independent claim 18, Noesgaard discloses *a method of playing a media presentation using a device (Abstract), comprising:*

- *providing a first media package, the first media package including sequence information for ordering a plurality of media objects and specifying a transition between the plurality of media objects in the media presentation (column 2, lines 23 – 52 and column 6, lines 42 – 50);*
- *associating the first media package with a first event trigger; monitoring the device for an occurrence of the first event trigger; accessing a list identifying a plurality of associations between event triggers and media packages, including an entry corresponding to an association between the first media package and the first event trigger; choosing the entry corresponding to the association; playing, responsive to the first event trigger, the media presentation (column 5, lines 16 – 23).*

It has been interpreted that the providing of predetermined information corresponding to media objects in different manners sufficiently corresponds to different packages of media objects associated with different trigger events, wherein it would be obvious that some sort of means such as a list would be used to access the information pertaining to the corresponding associations, because lists are well known means for structuring data for access in such devices as that of Noesgaard.

Noesgaard does not explicitly disclose directly transmitting the first media package associated with the first event trigger to a user without a request from the user.

Nevertheless, in an analogous art, Haller discloses *directly transmitting the first media package associated with the first event trigger to a user without a request from the user* (column 3, lines 28 – 30, column 7, lines 65 – column 8, line 8 and column 8, lines 40 – 54), wherein it has been interpreted that the selection and transferring of multimedia files to respective devices may be initiated without a request from another user, because they may be “periodically changed without any intervention from [a] user.”

Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to combine the teachings of Haller with the invention of Noesgaard for the same reasons as disclosed in the rejection of claim 1, *supra*.

As per claim 2, and taking into account the rejection of claim 1, Haller further discloses *packaging the plurality of media objects into an encapsulated media package, the media package further including sequencing information for the media objects* (column 8, lines 3 - 8), wherein it would have been obvious to one of ordinary skill in the art at the time of invention to combine the teachings of Haller with the invention of Noesgaard for the same reasons as disclosed in the rejection of claim 1, *supra*.

As per claim 3, and taking into account the rejection of claim 2, Haller further discloses *publishing the media package to a remote user device; associating, on the remote device, the media package with a trigger event; monitoring for the trigger event on the remote device; detecting the trigger event on the remote device; and playing on the remote device, responsive to*

Art Unit: 2179

the trigger event, the ordered sequence of media objects (column 13, lines 16 – 20), wherein it would have been obvious to one of ordinary skill in the art at the time of invention to combine the teachings of Haller with the invention of Noesgaard for the same reasons as disclosed in the rejection of claim 1, *supra*.

As per claim 4, and taking into account the rejection of claim 1, Noesgaard further discloses *dividing at least one of the media objects into a set of sequential subsets so that each subset is smaller than a maximum size; and wherein the divided media object is played by loading and playing each of its respective subsets in sequential order* (column 6, line 66 – column 7, line 32).

As per claim 5, and taking into account the rejection of claim 1, Noesgaard further discloses that *at least one of the media objects is a sound file and at least another one of the media objects is an image file* (column 2, lines 50 – 52).

As per claim 6, and taking into account the rejection of claim 1, Noesgaard further discloses that *the presentation is a screensaver for a display device, and the ordered sequence of media objects is played responsive to a timed trigger event* (column 2, lines 5 – 14).

As per claim 9, and taking into account the rejection of claim 7, Noesgaard further discloses *a timer coupled to the embedded processor, and wherein the embedded processor presents the media objects responses to a trigger event generated by the timer* (column 2, lines 5 – 14).

As per claim 13, and taking into account the rejection of claim 12, Noesgaard further discloses that *the receiving step further includes accepting commands entered by a user* (column 6, lines 42 – 50)

As per claim 14, and taking into account the rejection of claim 12, Noesgaard further discloses that *the receiving step further includes accepting commands generated responsive to the portable device receiving a wireless communication* (column 2, lines 57 – 61), wherein, given the fact that the device is a mobile device, it has been interpreted that downloading sufficiently corresponds to receiving a wireless communication.

As per claim 15, and taking into account the rejection of claim 12, Noesgaard further discloses *providing a sound file, and ordering the sound files into the sequence so that the sound plays on a speaker device* (column 2, lines 50 – 52 and column 6, lines 42 – 50).

As per claim 16, and taking into account the rejection of claim 12, Haller further discloses *the step of packaging the selected media files and sequencing information into a media package* (column 8, lines 3 – 8 and column 12, lines 19 – 31) wherein it would have been obvious to one of ordinary skill in the art at the time of invention to combine the teachings of Haller with the invention of Noesgaard for the same reasons as disclosed in the rejection of claim 1, *supra*.

As per claim 17, and taking into account the rejection of claim 16, Haller further discloses *the steps of transmitting the media package to a remote device; and playing the sequence on the display of the remote device* (column 8, lines 3 – 8 and column 12, lines 19 – 31) wherein it would have been obvious to one of ordinary skill in the art at the time of invention to combine the teachings of Haller with the invention of Noesgaard for the same reasons as disclosed in the rejection of claim 1, *supra*.

As per claim 19, and taking into account the rejection of claim 18, Noesgaard further discloses that *the providing step includes receiving the media package through a network*

connection (column 4, lines 39 – 43 and column 7, lines 53 – 56), wherein, given that the device is able to receive and transmit data and that it may also be a stationary device, and thus connected through a network connection, it is obvious that said device would also be able to receive and transmit data through a network connection in addition to a possible wireless connection.

As per claim 20, and taking into account the rejection of claim 18, Noesgaard further discloses that *the providing step includes receiving the media package through a wireless connection* (column 4, lines 39 – 43), wherein, given the fact that the device is a mobile device, it has been interpreted that receiving and transmitting would be performed wirelessly.

As per claim 21, and taking into account the rejection of claim 18, Noesgaard further discloses that *the providing step includes: receiving configuration instructions from a user of the device; selecting the media objects according to the configuration instructions; ordering the media objects according to the configuration instructions; transitioning the media objects according to the configuration instructions; and generating the first media package at the device* (column 6, lines 42 – 50).

As per claim 22, and taking into account the rejection of claim 18, Noesgaard further discloses that *the providing step includes: receiving configuration instructions; selecting the media objects according to the configuration instructions; ordering the media objects according to the configuration instructions; transitioning the media objects according to the configuration instructions; and generating the first media package* (column 6, lines 42 – 50).

As per claim 23, and taking into account the rejection of claim 18, Haller further discloses that *the first media package is an encapsulated media package including data for the*

media objects (column 8, lines 3 – 8 and column 12, lines 19 – 31) wherein it would have been obvious to one of ordinary skill in the art at the time of invention to combine the teachings of Haller with the invention of Noesgaard for the same reasons as disclosed in the rejection of claim 1, *supra*.

As per claim 24, and taking into account the rejection of claim 18, Noesgaard further discloses that *the first media package is a referenced media package including a reference to a file location to access data for the media objects* (column 3, lines 7 – 14).

9. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Noesgaard et al. (US 7,113,809 B2) and Haller et al. (US 6,909,878 B2) in view of Irvin (US 6,360,101 B1).

As per claim 8, Noesgaard and Haller sufficiently disclose the limitations of claim 7.

Noesgaard and Haller do not explicitly disclose a position location receiver coupled to the embedded processor, and wherein the embedded processor presents the media objects responses to a trigger event generated by the position location receiver.

Nevertheless, in an analogous art, Irvin discloses *a position location receiver coupled to an embedded processor, and wherein the embedded processor presents media objects responses to a trigger event generated by the position location receiver* (column 4, lines 18 – 49).

Noesgaard, Haller, and Irvin all pertain to the analogous art of providing audio or visual media to a mobile device upon a triggering event (Noesgaard, Abstract; Haller, column 2, lines 29 – 53; and Irvin, Abstract). Therefore, one would look to the other for possible improvements upon their inventions. Furthermore, Noesgaard knows that it is desirable to provide mobile devices with useful information, such as reminders or the like, in accordance with a trigger event

(Noesgaard, column 1, lines 52 – 55). In addition, Irvin also desires to provide mobile devices with useful information, such as reminders or the like, in accordance with a trigger event (column 1, lines 62 – 66). Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to incorporate features of Irvin into the invention of Noesgaard and Haller, such as different means for triggering the providing of such audio or visual media to users of mobile devices.

10. Claims 10 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Noesgaard et al. (US 7,113,809 B2) and Haller et al. (US 6,909,878 B2) in view of Wells et al. (US 5,870,683).

As per claims 10 and 11, Noesgaard and Haller sufficiently disclose the limitations of claim 7.

Noesgaard and Haller do not explicitly disclose a call processor coupled to an embedded processor, wherein the embedded processor presents media objects responses to a trigger event generated by the call processor or that an embedded processor receives caller identification information; wherein the embedded processor presents media objects responses to a trigger event generated according to the content of the caller identification information.

Nevertheless, in an analogous art, Wells discloses *a call processor coupled to an embedded processor, wherein the embedded processor presents media objects responses to a trigger event generated by the call processor or that an embedded processor receives caller identification information; wherein the embedded processor presents media objects responses to a trigger event generated according to the content of the caller identification information.*

Art Unit: 2179

(column 9, lines 33 – 46), wherein it has been interpreted that the media event is generated according to the caller identification information, because said media event may correspond to caller identification information.

Noesgaard, Haller, and Wells all pertain to the analogous art of providing arrangements of multimedia files such as screen savers to mobile phones (Noesgaard, Abstract; Haller, column 2, lines 29 – 53; and Wells, Abstract). Therefore, one would look to the other for possible improvements upon their inventions. Furthermore, Noesgaard discloses that the provided multimedia could relate to messages or calls to or from an external source, which would include information pertaining to caller identification (column 2, lines 30 – 35). Therefore, Noesgaard would look to the analogous art of Wells for implementing obvious modifications to his invention, such as different means for invoking the multimedia in accordance to data that Noesgaard already associates with his invention. Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to combine the teachings of Wells with the invention of Noesgaard and Haller.

11. Claim 25 is rejected under 35 U.S.C. 103(a) as being unpatentable over Noesgaard et al. (US 7,113,809 B2).

As per independent claim 25, Noesgaard discloses *a method for arranging and playing a media presentation on a handheld wireless communication device having a memory, a processor, and at least one output device, the method comprising:*

- *providing a plurality of media objects in a memory on the handheld wireless communication device, wherein said media objects comprise at least audio files, image files, and transitions (column 2, lines 23 – 52 and column 6, lines 42 – 50);*
- *receiving via an input means on the handheld wireless communication device configuration instructions from a user, the configuration instructions comprising selecting and ordering a subset of said plurality of media objects and specifying zero or more transitions between one or more pairs of adjacent media objects in the ordered subset of media objects (column 2, lines 23 – 52 and column 6, lines 42 – 50);*
- *arranging the ordered subset of media objects and zero or more transitions into an ordered sequence responsive to the configuration instructions;*
- *generating a media package comprising the ordered sequence of the subset of media objects and zero or more transitions, said media package capable of being executed by the processor on the handheld wireless communication device (column 2, lines 23 – 52 and column 6, lines 42 – 50);*
- *storing the media package in the memory on the handheld wireless communication device (column 2, lines 50 – 53 and column 3, lines 7 – 14);*
- *associating the media package with a trigger event; storing the association of the media package with the trigger event in an association list in the memory on the handheld wireless communication device, wherein the association list includes a plurality of media package and trigger event associations; monitoring for the trigger event; detecting the trigger event; executing the media package by the processor on*

the handheld wireless communication device to play, responsive to the trigger event, the media package, and providing the media objects to the user via the at least one output device on the handheld wireless communication device (column 5, lines 16 – 23).

It has been interpreted that the providing of predetermined information corresponding to media objects in different manners sufficiently corresponds to different packages of media objects associated with different trigger events, wherein it would be obvious that some sort of means such as a list would be used to access the information pertaining to the corresponding associations, because lists are well known means for structuring data for access in such devices as that of Noesgaard.

Even though Noesgaard describes that his invention should not be limited to the few embodiments described, and may actually be practiced on any other mobile devices (column 7, lines 53 – 63), Noesgaard does not explicitly disclose that the handheld wireless communication device may have the at least **two** output devices.

Nevertheless, taking into account that cell phones such as “flip phones” with an inside and outside screen are well known in the art of mobile devices, it would have been obvious to one of ordinary skill in the art at the time of invention to incorporate the features of Noesgaard into all such mobile devices, including flip phone designs having two screens, and thus two output devices, so as to not be limiting to only particular designs of mobile devices, when other well known mobile devices having two screens are popular among users as well.

12. Claims 26 and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Noesgaard et al. (US 7,113,809 B2) in view of Irvin (US 6,360,101 B1).

As per claims 26 and 27, Noesgaard sufficiently discloses the limitations of claim 25.

Noesgaard does not explicitly disclose that the trigger event is determining that the handheld wireless communication device is in a predetermined geographic region or is within a predetermined proximity to a particular business.

Nevertheless, in an analogous art, Irvin discloses *a trigger event is determining that a handheld wireless communication device is in a predetermined geographic region or is within a predetermined proximity to a particular business* (column 4, lines 18 – 49).

Noesgaard and Irvin both pertain to the analogous art of providing audio or visual media to a mobile device upon a triggering event (Noesgaard, Abstract and Irvin, Abstract). Therefore, one would look to the other for possible improvements upon their inventions. Furthermore, Noesgaard knows that it is desirable to provide mobile devices with useful information, such as reminders or the like, in accordance with a trigger event (Noesgaard, column 1, lines 52 – 55). In addition, Irvin also desires to provide mobile devices with useful information, such as reminders or the like, in accordance with a trigger event (column 1, lines 62 – 66). Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to incorporate features of Irvin into the invention of Noesgaard, such as different means for triggering the providing of such audio or visual media to users of mobile devices.

Response to Arguments

13. Applicant's arguments filed on 3/19/2008 have been fully considered, but are moot in view of new grounds of rejection necessitated by amendment.

Conclusion

14. It is noted that any citation to specific, pages, columns, lines, or figures in the prior art references and any interpretation of the references should not be considered to be limiting in any way. A reference is relevant for all it contains and may be relied upon for all that it would have reasonably suggested to one having ordinary skill in the art. In re Heck, 699 F.2d 1331, 1332-33, 216 USPQ 1038, 1039 (Fed. Cir. 1983) (quoting In re Lemelson, 397 F.2d 1006, 1009, 158 USPQ 275, 277 (CCPA 1968)).

15. The prior art made of record and not relied upon is considered pertinent to the applicant's disclosure. The cited documents represent the general state of the art.

In addition to the pertinence of the cited art of record, art of particular note is:

- ***Makipaa et al. (US 2003/0169306 A1)***
- ***Farber et al. (US 5,819,284)***
- ***Knepper (US 6,763,272 B2)***
- ***Loughran (US 7,231,198 B2)***
- ***King et al. (US 2002/0055992 A1)***
- ***Fukuda (US 6,810,115 B2)***

16. Applicant's amendment necessitated the new grounds of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Eric A. Wiener whose telephone number is 571-270-1401. The examiner can normally be reached on Monday through Thursday from 9am to 5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Weilun Lo, can be reached on 571-272-4847. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Eric A Wiener/
Examiner, Art Unit 2179

Application/Control Number: 10/719,317
Art Unit: 2179

Page 26

/Ba Huynh/
Primary Examiner, Art Unit 2179